

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>REGINALD SANDERS,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>EDWARD KLEM, <u>et al.</u>,</b>	:	
	:	
<b>Respondents</b>	:	<b>NO. 05-1688</b>

**ORDER**

AND NOW, this 14th day of November, 2007, upon careful and independent consideration of the Petition for Writ of Habeas Corpus of Reginald Sanders (Docket No. 1); the Government's response thereto (Docket No. 7); Petitioner's reply (Docket No. 10); the Report and Recommendation of the Honorable Linda K. Caracappa, United States Magistrate Judge (Docket No. 11); and Petitioner's objections thereto (Docket No. 14), it is hereby ORDERED that:

1. The Report and Recommendation is ADOPTED.
2. The Petition for Writ of Habeas Corpus is DENIED and DISMISSED.
3. Petitioner's objections are DENIED.
4. A Certificate of Appealability is GRANTED as to the issue of whether, in light of United States v. Richards, 241 F.3d 335 (3d Cir. 2001) and Priester v. Vaughn, 382 F.3d 394 (3d Cir. 2004), the admission of out-of-court statements made by a co-defendant violated the Confrontation Clause of the Sixth Amendment.

5. The Clerk of the Court shall CLOSE this case for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE